

248680

## STATE OF SOUTH CAROLINA

## (Caption of Case)

IN RE:

Petition of MCI Metro Access Transmission  
Services LLC d/b/a Verizon Access Transmission  
Services for Review of NeuStar's Denial of  
Application for Numbering Resources

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

DOCKET  
NUMBER: 2014 - 38 - C

(Please type or print)

Submitted by: John M.S. Hoefer

SC Bar Number: 2549

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

## DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☒ Other: Request for Confidential Treatment of Exhibits

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Print Form

Reset Form

WILLOUGHBY & HOEFER, P.A.

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2014-38-C

\*ALSO ADMITTED IN TX

January 24, 2014

**VIA HAND DELIVERY**

The Honorable Jocelyn G. Boyd  
Interim Chief Clerk/Administrator  
**Public Service Commission of South Carolina**  
101 Executive Center Drive  
Columbia, South Carolina 29210

RE: Petition of MCIMetro Access Transmission Services LLC d/b/a  
Verizon Access Transmission Services for Review of NeuStar's  
Denial of Application for Numbering Resources

Dear Mrs. Boyd:

I represent MCIMetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services ("Verizon Access"). Enclosed for filing please find the original and two (2) copies of the above-referenced Petition of Verizon Access. Please accept the original for filing and acknowledge your receipt of same by returning one of the copies to me, bearing your file-stamp, via our courier.

Please be advised that the material attached to the Petition as Exhibits 1-3 have been marked as "Confidential Information" and are being submitted under seal in a separate envelope marked "confidential" in accordance with Commission Order No. 2005-226 issued in Docket No. 2005-83-A and dated May 6, 2005. A redacted version of this material is included as required by Order No. 2005-226. Verizon Access hereby requests that the material designated as "Confidential Information" and enclosed in the separate envelope marked "confidential" be exempted from public disclosure in accordance with 10 S.C. Code Ann. Regs. R.103-804.S(2) (2012).

By copy of this letter, we are serving a copy of this filing to the Executive Director of the Office of Regulatory Staff ("ORS") and on the Pooling Administrator of Neustar and enclose a

(Continued . . .)

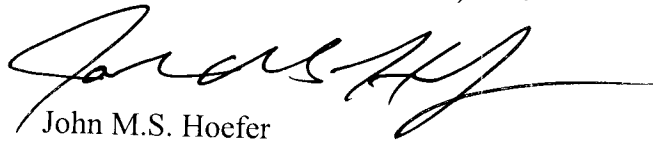
The Honorable Jocelyn G. Boyd  
January 24, 2014  
Page 2

Certificate of Service to that effect. In accordance with S.C. Code Ann. §58-4-55(C)(Supp. 2012), the "Confidential Information" referenced in the preceding paragraph is being provided to ORS under seal and designated as "confidential or proprietary" information and Verizon Access asserts that it is therefore exempt from public disclosure by that agency as well.

If you have any questions, or need additional information, please do not hesitate to contact me. With best regards, I am

Sincerely,

**WILLOUGHBY & HOEFER, P.A.**

A handwritten signature in black ink, appearing to read "John M.S. Hoefer", with a long horizontal flourish extending to the right.

John M.S. Hoefer

JMSH/SW  
Enclosures

cc: Honorable C. Dukes Scott  
Mr. John Auerbach  
Dulaney L. O'Roark, Esquire

# CERTIFICATE OF SERVICE

C. Dukes Scott  
**Office of Regulatory Staff**  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201

Sheila Wright

Columbia, South Carolina  
This 24<sup>th</sup> day of January, 2014.

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2014- -C

IN RE: )  
Petition of MCImetro Access Transmission Services )  
LLC d/b/a Verizon Access Transmission Services ) PETITION  
for Review of NeuStar's Denial of Application for )  
Numbering Resources )  
\_\_\_\_\_ )

MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (Verizon Access), pursuant to S.C. Code Ann. §58-3-140 (Supp. 2012), and in accordance with Vol. 10, S.C. Code Ann. Regs. 103-825 (2012), hereby submits its Petition requesting that the Commission review the Pooling Administrator's denial of Verizon Access' application for four contiguous Thousand Blocks of telephone numbers (Thousand Blocks) in the Shaw Air Force Base rate center, overturn that decision, and order that four contiguous Thousand Blocks be assigned to Verizon Access. In support of its Petition, Verizon Access would respectfully show, and request relief from the Commission, as follows:

1. Verizon Access is a competitive local exchange carrier that provides local exchange service and exchange access service in South Carolina pursuant to a certificate issued by this Commission.

2. Verizon Access' customers include large businesses and government agencies that use direct inward dialing (DID) arrangements to obtain telephone service for their employees at one or more locations.

3. A large government customer that uses a DID arrangement has selected Verizon Access as its service provider and requested that Verizon Access provide service



using a block of 4,000 consecutive numbers in the 803 NPA in the Shaw Air Force Base rate center. Using consecutive numbers facilitates the installation and management of DID arrangements. The customer has stated that it will experience a serious operational impact if its request is not granted. A confidential copy of the customer's letter explaining the circumstances is attached as Confidential Exhibit 1.

4. Because Verizon Access does not have 4,000 consecutive numbers in its inventory, it applied on January 21, 2014 to the Pooling Administrator, NeuStar, for four Thousand Blocks in the Shaw Air Force Base rate center.<sup>1</sup> Verizon Access' application is attached as Confidential Exhibit 2.

5. NeuStar denied Verizon Access' request on the same day it was submitted because Verizon Access did not meet either of the FCC criteria that NeuStar applies -- number utilization or months-to-exhaust. NeuStar's denial is attached as Confidential Exhibit 3.

6. The FCC has delegated authority to the Commission to address NeuStar's denial of a request for numbering resources, stating that "[w]e agree . . . that a safety valve mechanism should be established, and we delegate authority to state commissions to hear claims that a safety valve should be applied when the . . . Pooling Administrator denies a specific request for numbering resources."<sup>2</sup> Moreover, the FCC has determined that "a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy a specific customer request." Specifically, states "may grant requests for customers seeking contiguous blocks of

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<sup>1</sup> The application was filed in the name of Verizon Access' predecessor, Intermedia Communications.

<sup>2</sup> *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, 17 FCC Rcd 146 ¶ 61(2001).

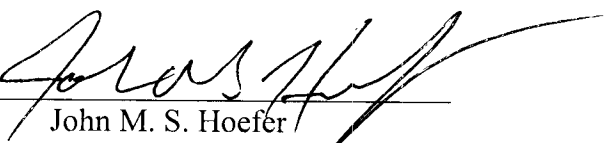
numbers.”<sup>3</sup> Based on this authority, the Commission has issued previous orders addressing denials by NeuStar.<sup>4</sup>

7. Verizon Access’ request for four Thousand Blocks to meet its customer’s request for 4,000 contiguous numbers fits squarely within the framework established by the FCC for “safety valve” requests that the Commission is authorized to grant. Verizon Access respectfully requests that the Commission direct NeuStar to assign four Thousand Blocks for the Shaw Air Force Base rate center so that it can satisfy its customer’s request.

**WHEREFORE, having fully set forth its Petition,** Verizon Access respectfully requests that the Commission (1) review NeuStar’s decision to deny Verizon Access’ request for additional numbering resources, (2) overturn that decision, (3) direct NeuStar to assign Verizon Access four Thousand Blocks in the Shaw Air Force Base rate center, and (4) grant Verizon Access such other and further relief as may be just and proper.

Respectfully Submitted,

**WILLOUGHBY & HOEFER, P.A.**

By:   
John M. S. Hoefer  
Post Office Box 8416  
Columbia, South Carolina  
29202-8416  
803-252-3300

Attorneys for Verizon Access

Columbia, South Carolina  
This 24<sup>th</sup> day of January, 2014

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<sup>3</sup> Id. ¶ 64.

<sup>4</sup> See, e.g., *Petition of BellSouth Telecommunications, Inc. for Review of NXX Code Denial in Summerville Rate Center*, Order Reversing NANPA Decision, Docket No. 2002-185-C, Order No. 2002-415 (2002).

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